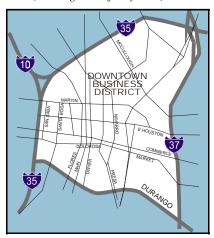
Applications for this permit must be obtained from the Parks and Recreation Department located at 115 Plaza De Armas (building west of City Hall).



DOWNTOWN BUSINESS DISTRICT ADDITIONAL PERMIT REQUIRED

Peddler's licenses are preempted by other permits in the following areas:

- Alamodome Area The Alamodome issues permits for vending on the Alamodome premises.
- Market Square Market Square issues permits for vending in the Market Square area and Farmer's Market.

### **PROHIBITED AREAS**

It shall be unlawful for any person to peddle, canvass or solicit any tangible property or services on the grounds of the City of San Antonio municipally owned property, including public streets, public right of way and/or public sidewalks, with the exception of:

- Parks, as provided under the applicable provisions of Chapter 22. (Contact the Parks & Recreation Department for information on additional special license required for Downtown business district, and its requirements, restrictions and rules).
- Persons and their agents who have contracted for services with the City of San Antonio for sales on the grounds of the City of San Antonio municipally owned property.

### **APPLICATION**

Applicants for license shall file a written sworn application with the Division of Treasury at least five (5) days prior to the date of the initial contemplated sale. The application shall state the description and license plate number of any vehicles intended to be operated in connection with this license and the kind of merchandise to be peddled or can-

vassed. The application must be completely filled in by the applicant. The completed application will be taken to Room 123 in the San Antonio Police Department, 214 W. Nueva, for review prior to a license being issued.

### TRANSFER OF LICENSE

Licenses are not transferable and the authority of a license shall be conferred only on the licensee named thereon.

### **RESTRICTIONS**

In addition to the limitations in "PROHIBITED AREAS" section, at left, no person shall store or keep or offer for sale any tangible property on any traffic island, median or other traffic control device. Permission from owner of private property must be obtained.

### **AFFIDAVIT — PRIVATE PROPERTY**

Licensees shall obtain a signed and notarized affidavit from the owner of private real property prior to peddling on private property under this code. The information on the affidavit shall be printed and shall be complete with all information requested and signed by the owner of the real property or other authorized person and shall be duly notarized. Licensees peddling on private property without required affidavit or with affidavit missing required information shall be subject to the penalty in the "PENALTY" section in this pamphlet.

### **FREQUENCY**

Except as otherwise allowed by the code, it shall be unlawful for any person other than the actual real property owner to use a license issued under Article 16 to peddle on any portion of privately owned real property more than three (3) times within any thirty (30) day period, regardless of authorization by the real property owner. For the purposes of this subsection, all usage within a 24 hour day shall be counted as one (1) use.

The restrictions in frequency above shall not apply if all the tangible property is carried at all times on or by a non-stationary person using a license issued under Article 16 and actively engaged in the peddling, canvassing, or soliciting of such tangible property.

### **FLOWERS EXCEPTION**

Sale of flowers shall not be subject to "frequency of use restrictions on Castroville Rd. between S. Gen. McMullen and Inca Streets" on the following days: Valentine's Day, Easter, Mother's Day, Father's Day, All Souls' Day and All Saints' Day, or three (3) days before and three (3) days after these days if the vendor has the authorization (affidavit) from the real property owner for such use as required by code.

(Continued on other side)

### **AFFIDAVIT**

This affidavit authorizes, and will serve as permission by the private property owner that the real property described by the address stated herein, may be used to peddle tangible property during the dates and times below by the specific person named below when in possession of a valid peddler license issued by the City of San Antonio. This affidavit does not allow uses beyond those specifical addressed in the Peddler's ordinance or by persons other that that named below. Print or type all information, except for the signatures.
My name is and I am providing this aff
davit in compliance with the City of San Antonio Code, Chapter 16 (Peddlers, Hawkers, Canvassers; Solicitors), as amended.
☐ I am the owner of the real property located at
, San Antonio, Texas. My complete address, including city, state and z
code is, and my phone numb
where I can be contacted at all times the real property is authorized for use is ()
☐ I am the representative (state your title or capacity) of the owner of the re
property located at, San Antonio, Texas. I am autho
ized by (print name of owner of real property), whose complete a
dress is, and who
unable to sign this affidavit personally, to sign in the owner's behalf. My complete address
for the licensee named, dba, whose
complete address is,
use said real property for the specific purpose of
(date) to to to to to
Signature of Affiant
SUBSCRIBED AND SWORN TO before me, this the day of

Licensee is required to possess this original affidavit at all times while peddling at the above location, and to surrender it for inspection by any City of San Antonio inspector or officer. Incomplete or inaccurate affidavits may be declared void and in non-compliance with the code, and subject to penalties.

Notary Public, State of Texas

My Commission expires

(Continued from other side)

### **PENALTY**

Any person who shall knowingly violate any provisions of the City Code shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine not exceeding five hundred dollars (\$500.00).

### REVOCATION

License may be revoked if licensee is convicted of a violation of provisions of license or if licensee has made a false statement in the application of such license or otherwise becomes disqualified for the issuance of said license.

### NOTICE

This pamphlet is published by the Finance Department, Division of Treasury, as a general guide to assist in understanding and conforming to the licensing requirements and procedures to peddle or canvass in the City of San Antonio, and is not intended to take the place of the code or established policies or procedures. For a more complete understanding you should contact the Code Compliance Department. There may be other restrictions or requirements in addition to those contained herein, or other licenses required by other departments or agencies. In the case of errors or conflicts contained in this guide, the departments responsible for enforcement shall be responsible for final determination.

### DIRECTORY/CONTACTS

Code Compliance Department 115 Plaza De Armas — 207-7230 http://www.ci.sat.tx.us/codecomp/

Health Department 322 W. Commerce St. — (210)207-8853 http://www.ci.sat.tx.us/health/

Parks and Recreation Plaza De Armas — (210)207-2723 http://www.ci.sat.tx.us/sapar/index.htm

Police Department 214 W. Nueva St. — Records Rm. 123 http://www.ci.sat.tx.us/sapd/index.htm

Treasury Division 506 Dolorosa St. — (210)207-8667 http://www.ci.sat.tx.us/finance/



# Peddling and Canvassing

Includes Private Property Affidavit

# City of San Antonio FINANCE DEPARTMENT

**Division of Treasury** 

City Hall Annex 506 Dolorosa Street P.O. Box 839975 San Antonio, Texas 78283-3975

Rev. 05/25/2001

## **CITY OF SAN ANTONIO, TEXAS**

### DIVISION OF TREASURY

506 Dolorosa Street -- Telephone (210)207-8667

### PEDDLER'S, CANVASSER'S AND PHOTOGRAPHER'S LICENSES

The San Antonio City Code, Chapter 16, establishes rules for Peddlers, Hawkers, Solicitors, Transient Merchants and Sidewalk Photographers, and license requirements.

**ORDINANCES:** The following ordinances and amendments (if any) are part of Chapter 16:

- **51213** Requires Peddlers or Canvassers to be licensed; provides for fees and penalties. (9/6/79; amended 9/16/199 in 90492)
- **71697** Restricts hours of use (*see amendment in 88723*); provides definitions of terms; specifies allowable locations and/or limits thereon. (677/90)
- **63230** Sidewalk Photographer license requirement. (7/16/86)
- **66193** San Fernando Cemetery dates. (12/3/87)
- **79180** Animals may NOT be sold.
- Notarized affidavit required from real property owner (*see back of page*) prior to peddling on private property; amends hours to prohibit selling from 11 p.m. 8 a.m. on sidewalks/public places; prohibits selling door-to-door at private residences from 8 p.m. 8 a.m. (10/22/98)

# **DEFINITION:** The following definitions will apply as used in the ordinances:

- Canvasser The term "canvasser" includes "solicitor" and any person who makes retail sales for "future delivery" of tangible property from house to house or in any public place, whether or not payment is collected at the time of such sale, and such sales are taxable transactions under the provision of the Limited Sales, Excise and Use Tax Act of the State of Texas.
- Peddler The term "peddler" shall include the term
  "hawker" and shall mean any person who makes retail
  sales of tangible property from house to house or in
  any public place, and such sales are not made from an
  established place and delivery is made at the time of
  sale, whether or not payment is collected at the time of
  such sale.
- Public Places "Public place" shall mean a place to
  which the general public has a right to resort and is not
  prohibited by section 19-8 of the City Code, but DOES
  NOT INCLUDE streets, traffic medians, shoulders and
  improved shoulders.
- Real Property Any lot, tract, parcel, or section of land.

- Retail Sale The phrase "retail sale" means any sale
  other than a sale of tangible property to any purchaser
  who is purchasing said tangible property for the purpose of reselling it in the normal course of business
  either in the form or condition in which it is purchased
  or as an attachment to, or integral part of, other tangible property.
- Tangible Property The phrase "tangible property" means property, which may be seen, weighed, measured, felt, or touched, or which is in any other manner perceptible to the senses.

### **FEES AND DURATION**

LICENSE	120 DAYS	1 YEAR
Foot Peddler	\$ 20.00	\$ 60.00
Truck Peddler	30.00	90.00
Canvasser	10.00	30.00
Photographer	n/a	25.00
Downtown Business District	n/a	300.00

### RELATED LICENSES AND RESTRICTIONS

Certain licenses, and/or authorization for vendor location, must be obtained from other City Departments in addition to, or in lieu of Peddler's licenses.

Peddler's licenses on this application are not valid for the following purposes:

 Food and Beverages — Any person who peddles food or beverage for human consumption shall not be subject to the licensing provision of *Ordinance 51213*, but must be licensed for such peddling by the Metropolitan Health District as provided in Chapter 13 of the City Code. This Department is located at 332 W. Commerce Street.

Peddler's licenses are required and may only be used in conjunction with additional licenses required in the following area:

Vending in the "Downtown Business District" —
 Peddling of anything in the area designated
 "Downtown Business District" (see map) requires an
 additional permit as provided by Parks & Recreation.

(Continued on other side)